UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MR. DONALD MACK BENNETT,

Plaintiff,

-against-

(INDIVIDUAL) ASST. WARDEN ORLANDO; (INDIVIDUAL) TIER CAPTAIN RHODES: (INDIVIDUAL) L. BROWN #964 (CORRECTION: OFFICER),

Defendants.

CIVIL

JUDGMENT

07 Civ. 11563 (KMW)

By order dated December 26, 2007, plaintiff was directed to file an amended complaint with this Court within 60 days. On January 16, 2008, the order was returned to the Court indicating that plaintiff was no longer incarcerated at the Westchester County Department of Correction. On March 10, 2008, the Court forwarded the order to plaintiff after receiving a change of mailing address from him. Since plaintiff has failed to file an amended complaint as specified, it is,

ORDERED, ADJUDGED AND DECREED: That the action is dismissed. I certify pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's order would not be taken in good faith.

SO ORDERED

Dated: 44 1 9 2008

New York, New York

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